

Entered - 07-23-01 - sb  
CL 01L0474 - GWENDOLYN BURNS

CLAIM OF: MARTA  
2424 Piedmont Road, NE  
Atlanta, Georgia 30324-3300

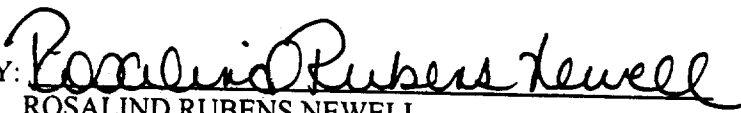
01-R-1814

For vehicular damages alleged to have been sustained as a result of an automobile accident on June 14, 2001 at West Marietta Street.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to MARTA the sum of \$511.97 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on June 14, 2001 at West Marietta Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0474

Date: October 30, 2001

Claimant /Victim MARTA  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2424 Piedmont Road, NE, Atlanta, Georgia 30324-3300  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 511.97 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 7/20/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 6/14/01 Place: West Marietta Street  
Department POLICE Division \_\_\_\_\_  
Employee involved Alice Flemister Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was side-swiped by a city police vehicle. The city vehicle was cited for "failure to yield".

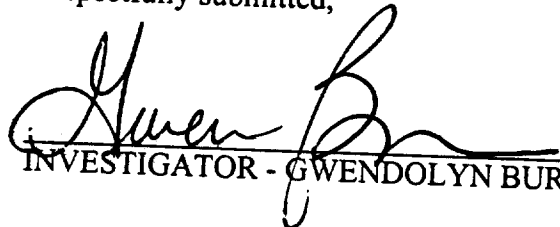
INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_  
Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 511.97 Adverse \_\_\_\_\_  
Claims Manager:  Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Committee Action: \_\_\_\_\_ Concur/date 10-31-01  
Council Action \_\_\_\_\_

## Metropolitan Atlanta Rapid Transit Authority



July 18, 2001

Ms. Gwendolyn Burns  
Claims Investigator  
City of Atlanta, Department of Law  
68 Mitchell Street, S.W. Ste 4100  
Atlanta, Georgia 30335-0332

ENTERED - 7-23-01 - SB  
01L0474 - GWEN BURNS

*Burns*  
*07/20/01*  
*DM*

Our Claim #: 1-5889F01  
Date of Accident: 06/14/01  
Insured: City of Atlanta  
Policy #:

Dear Ms. Burns:

Enclosed are the following documents which support MARTA's property damage claim as referenced above.

I Police Report: Enclosed ☒ Not Enclosed ☐  
II Repair costs to: bus #1407

Please forward your check in the amount of (pending bus estimate to follow) for payment of MARTA's property damage claim. Please do not place full release language on the check. MARTA will only accept property damage checks with property damage only release language. All other checks will be returned.

Please make the check payable to MARTA and mail to my attention at the following address:

MARTA  
Office of Risk Management  
Attn: Sylvia Crisp  
2424 Piedmont Road, N.E.  
Atlanta, Georgia 30324-3300

Sincerely,

*Sylvia Crisp*  
Sylvia Crisp  
Claims Adjuster I